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1 Q. And was that while Mr. Bell was employed that  
2 you remember this?

3 A. I don't recall that it was when Mr. Bell was  
4 still an employee of Mellon.

5 Q. You think it may have been after Mr. Bell left?

6 A. As I remember, it would be after he left.

7 Q. And do you remember what Mr. Gilmore was  
8 saying?

9 A. At this time I don't exactly recall the words,  
10 but I do recall Mr. Gilmore frequently criticizing  
11 past or retired, resigned or fired employees of the  
12 team.

13 Q. Do you remember specifically him mentioning  
14 Mr. Bell?

15 A. At this time I don't specifically remember a  
16 date that he mentioned Mr. Bell.

17 Q. Not a date. But do you remember him saying,  
18 mentioning Mr. Bell specifically with respect to  
19 criticism of the work?

20 A. To the best of my memory, there would have been  
21 a team meeting where Brendan may have mentioned Robert  
22 Bell, Linda Squier or Martha Fетters and the way they  
23 conducted the trust business.

24 Q. Can you be more specific when you said the way

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1 that they conducted the trust business what he said  
2 about that?

3 A. Brendan Gilmore would conduct the team meetings  
4 in a very brusque, arrogant manner in order to incite  
5 the team to work harder and he would use those  
6 instances to degrade past performances of employees  
7 that were no longer part of the team.

8 Q. So he would mention the past employees by name?

9 A. Not always.

10 Q. Would it be along the lines of criticisms of  
11 how past employees had done a particular job? I'm  
12 just trying to get a sense of when you said that he  
13 would use it as a mechanism to degrade past employees'  
14 performances whether he would say this is how a report  
15 was done by past employees and that was bad and this  
16 is how we're going to do it now. I'm just trying to  
17 get a sense of what you meant by that.

18 A. I'm not sure I understand fully the question.

19 Q. Well, when you say he would use the team  
20 meetings at times to degrade past employees'  
21 performances, can you tell me, give me some specifics  
22 by way of examples of what he would do?

23 A. The team meetings weren't always conducted to  
24 degrade past employees. Team meetings were held to,

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1 team meetings were held to review the current  
2 situations of the files and to impart his feelings of  
3 how the team should be working harder or better and  
4 not to follow the examples of employees that were  
5 released, let go or resigned.

6 Q. And so did you take from that that he  
7 considered employees who were no longer there, let go,  
8 forced to resign that he considered their work not to  
9 be good work and that you should follow somebody  
10 else's example of work?

11 A. I would have taken that in that manner.

12 Q. And do you remember him ever saying, you know,  
13 don't do what Bell or Squier or Fetters did, that was  
14 bad work or words to that effect?

15 A. I don't recall him specifically saying don't do  
16 Bell's, Squier's or Fetters' work, that was bad work.

17 I recall Brendan Gilmore saying the  
18 Delaware team was not going to be like it was under  
19 Bell, Squier or Fetters, to the best of my  
20 recollection.

21 Q. Okay. And did he tell you how the Delaware  
22 team was going to be?

23 A. Mr. Gilmore would conduct the meetings and tell  
24 the team members how he wanted it to be.

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1 Q. What did he say in terms of how -- and I gather  
2 how he wanted work to be done when you said how he  
3 wanted things to be?

4 A. I'm not sure I fully understand your question.

5 Q. In the team meetings when you say that Mr. Bell  
6 would tell everybody how he wanted things to be, would  
7 he be talking about how he wanted the PORCH to be run,  
8 how he wanted customers to be serviced, things of that  
9 nature?

10 A. Yes.

11 Q. We were talking about Linda Squier and I  
12 believe you said that you were a witness or you  
13 witnessed Gilmore's unprofessional criticisms of her  
14 work.

15 Did you ever overhear conversations that  
16 Gilmore and Squier were having or did you see it?  
17 When you said that you witnessed it, I'm trying to get  
18 a sense of how it came about.

19 A. To the best of my recollection, I both heard  
20 and saw.

21 Q. What did you see?

22 A. I recollect Brendan Gilmore brusquely  
23 criticizing Linda's decisions or her conduct in  
24 handling workloads, case files that she, trust files

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1 that she would have been responsible for in her  
2 history with Mellon.

3 Q. And do you know if the criticism was accurate  
4 criticism?

5 A. Not always.

6 Q. When you say, "Not always," meaning not always  
7 accurate criticism?

8 A. Of Linda Squier's?

9 Q. That's what I mean.

10 When you say not always accurate  
11 criticism, why do you say that?

12 A. Brendan Gilmore was a brusque, arrogant  
13 manager. I recollect Linda Squier's rapport with the  
14 trust clients to be professional. I felt when Brendan  
15 Gilmore criticized her, it was completely unwarranted.

16 Q. Did Linda Squier discuss with you that she felt  
17 that Brendan Gilmore's criticisms of her were  
18 unwarranted?

19 A. Yes.

20 Q. Would that be what she would say, words to that  
21 effect?

22 A. Yes.

23 Q. Did Linda Squier ever tell you that she felt  
24 that she was being treated by Mr. Gilmore in that

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1 fashion, unprofessional criticism, brusque, because of  
2 her age?

3 A. Specifically I don't recall that she used the  
4 word "age."

5 Q. What did she use?

6 A. Used in?

7 Q. When she didn't use the specific "I think I'm  
8 being treated this way because of my age," I gather  
9 she never said that, did she say things that made you  
10 believe that age was the reason?

11 A. To the best of my memory, Linda would talk  
12 about, she would talk about the length of time that  
13 she had served her trust clients in Mellon.

14 Q. In fact, in terms of she held the position for  
15 a while and knew her job, so to speak?

16 A. Yes.

17 Q. You said that you had, I guess you had actually  
18 seen Gilmore brusquely criticizing Linda and you said  
19 you also had heard it?

20 A. Yes.

21 Q. The same thing, brusque criticism?

22 A. Yes.

23 Q. When you say you heard it, is your office next  
24 to hers or is it in the hallway? How is it that you

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1 heard it?

2 A. At the time I reported to Linda Squier as a  
3 trust officer she sat two desks away from me. I had  
4 to hear whatever he said to her, whether at her desk  
5 or behind a closed door because their voices would be  
6 raised.

7 Correction: His voice would be raised.

8 Q. He would be speaking in a loud manner?

9 A. Brendan Gilmore would be speaking in a loud  
10 manner? Yes.

11 Q. And so as a result you could hear what he was  
12 saying to her?

13 A. Substantively, yes.

14 Q. And what you heard was criticism of the  
15 performance?

16 A. Yes.

17 Q. I take it that you never performed a  
18 performance review of Linda Squier?

19 A. That's correct.

20 Q. Did you ever hear Brendan Gilmore speak  
21 brusquely to employees who were 40 and younger?

22 A. As I remember, the 40 and younger people that  
23 were in the Philadelphia office, no.

24 Q. So those folks you wouldn't know about because

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1 you weren't in the Philadelphia office?

2 A. That's correct. Yes.

3 Q. Were there any individuals 40 and younger who  
4 left Brendan's team at any point that you were there?

5 A. As I recall, I don't know the exact age of Ray  
6 Masucci and Scott Gilliland, but they had left the  
7 Gilmore team.

8 Q. Do you know why Masucci left?

9 A. No.

10 Q. And you had said Scott?

11 A. Gilliland.

12 Q. Gilliland. Do you know why he left?

13 A. No.

14 MR. LaROSA: Ms. Blozis, we have been  
15 going for over 90 minutes. Would you like to take a  
16 break?

17 THE WITNESS: I would like to take a rest  
18 room break.

19 MR. LaROSA: Can we take a five-minute  
20 break?

21 MS. WILSON: Sure.

22 (A brief recess was taken.)

23 MS. WILSON: Can you mark this as Blozis  
24 2, please?



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1 (Blozis Deposition Exhibit No. 2 was  
2 marked for identification.)

3 BY MS. WILSON:

4 Q. If you will look at what's been marked as  
5 Blozis 2 and for the record, since it's a number of  
6 documents, it's P3, P4, P5 and P6 Bates stamped.

7 A. (Reviewing document).

8 Q. Ready?

9 A. May I take a few more moments to scan this?

10 Q. Sure. Let me know when you're ready.

11 A. (Reviewing document) I'm ready.

12 Q. Great. Ms. Blozis, if you would look at the  
13 first page of Blozis 2 Bates stamped P3, the title is  
14 Portfolio Administrator Position, Philadelphia Private  
15 Wealth Management.

16 Do you see where I am?

17 A. Yes.

18 Q. Do you recognize this document?

19 A. To the best of my memory, yes.

20 Q. On the left-hand side of the upper part, it  
21 says, "Current as of 2003"?

22 A. Yes.

23 Q. Is that your writing?

24 A. I would have to say it looks like my

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1 handwriting.

2 Q. I gather from that that this job summary was in  
3 effect as of 2003?

4 A. Yes.

5 Q. And this would be a job summary of what your  
6 job responsibilities were with respect to the  
7 portfolio administrator position?

8 A. Yes.

9 Q. And was this something that human resources  
10 gave to you?

11 A. To the best of my memory, no.

12 Q. Who gave it to you?

13 A. As I recall, it would have been my supervising  
14 officer at that time.

15 Q. In 2003 would that have been Landis?

16 A. Yes.

17 Q. Do you remember when in 2003 he gave it to you?

18 A. No.

19 Q. Do you know why he gave P3 to you?

20 A. No.

21 Q. Do you know if he -- I guess in 2003 Maria  
22 Dunlop was on board?

23 A. Yes.

24 Q. Do you know if she got the same document, P3?

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1 A. No.

2 Q. You don't know?

3 A. I don't recall at this time.

4 Q. When you believe Landis gave you what's been  
5 Bates as P3, did you and he have any discussion about  
6 the document?

7 A. I don't recall at this time.

8 Q. Did you read it?

9 A. Yes.

10 Q. And did you take it to be what your  
11 responsibilities were?

12 A. Yes.

13 Q. Looking at P4, do you recognize that document?

14 A. Recognize it how?

15 Q. Do you know what it is?

16 A. It looks like a sheet that states LB's, meaning  
17 Linda Blozis's current work as of 3-30-01.

18 Q. Do you know who put P4 together?

19 A. To my recollection, it was probably me.

20 Q. And why did you put P4 together?

21 A. I'm not sure at this time.

22 Q. Do you know if you gave P4 to your supervising  
23 officer?

24 A. Supervising officer?

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1 Q. In the 2001 time frame it would have been  
2 Gilmore.

3 A. As I recall now, it would either have been --  
4 I'm sorry. You said Gilmore.

5 Q. Who was it in 2001?

6 A. As I recall, it could have been Bill Becker or  
7 Greg Landis.

8 Q. All right. Would P4 have been something that  
9 you would have given to keep them apprised of what you  
10 were working on?

11 A. Yes.

12 Q. Do you know whether Becker or Landis asked you  
13 to put P4 together?

14 A. I'm not sure at this time.

15 Q. Looking at what's been Bates as P5.

16 A. Yes.

17 Q. Do you recognize that document? You might want  
18 to look at P6 because I'm not sure both of those pages  
19 go together.

20 A. Your question is?

21 Q. The first question is: Does P5 and P6 go  
22 together?

23 A. At this time I can't recall exactly.

24 Q. Looking at P5, do you recognize P5?

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1 A. I would have to say yes.

2 Q. Is that your handwriting to the right?

3 A. It appears to be my handwriting at this time.

4 Q. Is that "specific to Linda Blozis"?

5 A. That's what it says.

6 Q. Do you know why you wrote that on there?

7 A. I don't recall at this time.

8 Q. Looking down at the bottom of P5 there seems to  
9 be some handwriting down there?

10 A. Yes.

11 Q. Is that yours?

12 A. At this time I'm not sure.

13 Q. You're not sure whether it is or not?

14 A. The handwriting in the lower left, whether  
15 that's mine or not?

16 Q. Right.

17 A. Yes.

18 Q. Looking at P6, do you recognize what P6 is?

19 A. Yes.

20 Q. And what is that?

21 A. As it states, general miscellaneous duties  
22 list.

23 Q. And would that have been -- I'm just looking at  
24 the bottom. It says, "Revised 1/00."

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1 Do you see where I am?

2 A. Yes, I do.

3 Q. Did you type that in?

4 A. I can't say at this time that I typed that in.

5 Q. It has the initials BB/LB. Is that Becker and  
6 you?

7 A. Yes.

8 Q. And then underneath it there's some  
9 handwriting. Is that Becker's BB? It looks like some  
10 initials.

11 A. Yes. At this time I would take it to be Bill  
12 Becker's initials.

13 Q. And then your initials as well?

14 A. Yes.

15 Q. Would this have been something that you would  
16 have given to Bill to show what it was that you were  
17 doing?

18 A. I don't recall at this time if I would have  
19 given it to Bill or he would have given it to me.

20 Q. In terms of typing it up with respect to  
21 general/miscellaneous duties, if I understand your  
22 answer you're not sure whether Bill gave you P6 to  
23 review or whether you gave it to him to review?

24 A. That's correct.

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1 Q. Okay. I'm just looking at sort of the  
2 signatures with the initials. Does that mean that  
3 both of you reviewed it at some point?

4 A. Yes. I would take that to mean that at this  
5 time.

6 Q. And I'm taking revised 1/00 to mean January  
7 2000. Is that correct?

8 A. At this time I would say that is correct.

9 Q. Would that have been what your general/  
10 miscellaneous duties would have been for January 2000?

11 A. It would have been what Bill Becker and I  
12 discussed them to be.

13 Q. Do you recall whether you put together sort of  
14 the general/miscellaneous duties throughout the time  
15 that you were reporting to Bill Becker or he put  
16 together what they would be?

17 A. At this time I would say yes.

18 Q. Would you have monthly meetings with Bill when  
19 you were reporting to him to go over your duties or  
20 assignments?

21 A. Yes.

22 Q. Would it be on a monthly basis that you would  
23 do it?

24 A. I don't recall if it was specifically monthly

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1 at this time.

2 Q. But from time to time you and he would get  
3 together and go over what you were working on?

4 A. Yes.

5 Q. Looking at P5, and I realize that you don't  
6 know what that is down at the lower left-hand page of  
7 that, but do you know when it says portfolio assistant  
8 position responsibilities do you know whether P5 came  
9 before P3?

10 A. At this time I'm not sure.

11 Q. And in terms of P5 do you know how you got it?  
12 Meaning did HR give it to you? Did someone else give  
13 it to you?

14 A. I can't answer at this time exactly.

15 Q. Ms. Blozis, if you could take a look at the  
16 first exhibit which is your complaint, please.

17 A. Yes.

18 Q. I want to turn your attention to paragraph 17  
19 of the complaint. It's on page 5.

20 A. Yes.

21 Q. Take a look at paragraph 17.

22 Do you see it?

23 A. Yes, I do.

24 Q. It talks about a bonus that you received in



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1 2001 for 2000 performance.

2 A. Yes. It says that.

3 Q. Do you remember how much that bonus was?

4 A. At this time I'm not sure.

5 Q. Do you know if other members of the Delaware  
6 team received bonuses in 2001 for 2000 performance?

7 A. At this time I'm not sure. I'm not sure.

8 Q. Do you remember what your rating was in 2000  
9 with respect to your performance rating?

10 A. In 2000?

11 Q. Yes.

12 A. I don't recall exactly at this time.

13 Q. Do you remember in terms of I guess in 2000 the  
14 highest rating and the lowest rating?

15 A. Yes.

16 Q. What was it?

17 A. The highest rating as I recall today was  
18 exceeds requirements. As I recall today, the lowest  
19 was needs improvement.

20 Q. And then there were a couple in between?

21 A. Yes.

22 Q. Do you know how it was determined who would be  
23 eligible for bonuses in let's say 2001?

24 A. Please repeat your question.

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1 MS. WILSON: Can you repeat that, please?

2 (The reporter read back the last  
3 question.)

4 THE WITNESS: As I -- no. No. Not  
5 exactly, no.

6 BY MS. WILSON:

7 Q. Do you know if bonuses were based solely on an  
8 employee's good performance?

9 A. Not all the time.

10 Q. What would be times when it wouldn't be?

11 A. Cumulatively good work performed by the team,  
12 as I recall.

13 Q. During the time that you held the position of  
14 portfolio administrator, did you receive a bonus?

15 A. Repeat what position I held, please.

16 Q. Portfolio administrator.

17 A. To my recollection, yes, I did receive a bonus.

18 Q. You held the position for approximately four  
19 years, is that fair, from 1999 to 2003?

20 A. That's approximately right, yes.

21 Q. Now, during that period was your bonus the same  
22 amount?

23 A. The same amount?

24 Q. Would you get, say to throw out a number,

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1 5,000, did you get 5,000 each year?

2 A. No.

3 Q. It would vary in size?

4 A. To my recollection, yes.

5 Q. And do you know why it would vary in size?

6 A. No. At this time I don't recall.

7 Q. Were bonuses guaranteed for your team?

8 A. I don't recall them being guaranteed.

9 Q. Looking at paragraph 18.

10 A. Yes.

11 Q. It deals with incentive pay. Do you see where

12 I am?

13 A. Yes.

14 Q. You received \$2,000 in 2002 for good

15 performance in 2001?

16 A. Yes.

17 Q. Do you see where I am? Do you remember what

18 your performance rating was in 2001?

19 A. At this time I'm not sure.

20 Q. Do you know if other members of your team

21 received incentive pay in 2002 for 2001 performance?

22 A. I'm not sure if all team members received that.

23 Q. And is the eligibility for the incentive pay

24 spelled out in the private wealth management 2001

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1 portfolio team incentive plan?

2 A. I would have to say yes at this time.

3 Q. In paragraph 18 you referenced a 2001 portfolio  
4 team incentive plan. Was there one for each year,  
5 like 2002, 2003?

6 A. I don't recall specifically at this time.

7 Q. In paragraph 19 you state that in October of  
8 2002 you received a raise from 36,000 to thirty-nine  
9 eight.

10 Do you see where I am?

11 A. Yes.

12 Q. Do you know how salary increases were  
13 determined?

14 A. At this time I'm not sure.

15 Q. Would you receive something from HR saying that  
16 you have gotten a raise?

17 A. I'm not sure what you're referring to.

18 Q. Would they send you a letter or some sort of  
19 notification that you received a raise or were getting  
20 a raise?

21 A. Not all the time.

22 Q. Would that have been the department that would  
23 have notified you of a raise?

24 A. Not all the time.

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1 Q. Would your manager have done it from time to  
2 time?

3 A. Yes.

4 Q. In terms of your performance you testified that  
5 usually the performance reviews were done annually but  
6 not all the time. Is that correct?

7 A. Yes.

8 Q. In general, in terms of the paper performance  
9 reviews how would that work in terms of the completion  
10 of the form? Would you have any part of it to  
11 complete? Let's give you a date. When you started  
12 the portfolio administrator position.

13 A. Yes.

14 Q. How did that work in terms of getting your  
15 performance management paper reviews done? Would you  
16 get a form to fill out concerning your accomplishments  
17 first and then your manager would review it?

18 A. Not first.

19 Q. If you could just walk me through the process.

20 A. To the best of my recollection, performance  
21 reviews were initiated by your supervising manager.  
22 He or she would fill out the form, present it to the  
23 employee. The employee would review it. There would  
24 be a discussion between your supervising manager and

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1 the employee.

2 The employee was given an opportunity to  
3 make comments or remarks at the end of it. Ultimately  
4 the supervising manager and the employee signed it and  
5 it went to as best I recollect the team leader and it  
6 was held I believe in a file.

7 Q. Would you get a copy of the final signed one  
8 for your files?

9 A. Yes.

10 MS. WILSON: Mark this as whatever the  
11 next number is.

12 (Blozis Deposition Exhibit No. 3 was  
13 marked for identification.)

14 BY MS. WILSON:

15 Q. Ms. Blozis, if you would look at what's been  
16 marked as Blozis 3 and let me know when you have  
17 completed your review.

18 A. (Reviewing document) I have reviewed it.

19 Q. Ms. Blozis, have you seen what's been marked as  
20 Blozis 3 before?

21 A. Yes.

22 Q. And what do you recognize it to be?

23 A. A performance review.

24 Q. Now looking at the first page, there's some

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1 handwriting at the top right. Is that your  
2 handwriting?

3 A. At this time I don't believe that to be mine.

4 Q. Do you recognize it?

5 A. Recognize it? I recognize it to be "Assessment  
6 year-end 2001 Blozis."

7 Q. Right. But do you recognize whose handwriting  
8 it is?

9 A. I'm not sure at this time.

10 Q. Looking at page 8 of the review, is that your  
11 signature on the top there in the box on page 8?

12 A. Do you mean the employee's signature and date?

13 Q. Yes. Is that you?

14 A. Yes.

15 Q. And underneath do you recognize that as the  
16 manager's signature?

17 A. Yes.

18 Q. Who do you recognize that to be?

19 A. At this time I recognize it to be Bill Becker's  
20 signature.

21 Q. Now, before I showed you Blozis 3 you had  
22 described generally how the performance management  
23 process would go in terms of the supervisor would  
24 initiate it, fill it out, you would review it, you and

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1 he would sit down, go over it.

2 Do you remember that testimony?

3 A. Yes.

4 Q. Would that have been the way that it would have  
5 been done for Blozis 3?

6 A. To the best of my recollection, yes.

7 Q. Looking at page 8 up at the top box under  
8 Section IV, Summary and Final Performance Rating, do  
9 you see where I am?

10 A. Yes.

11 Q. And down at the last category in that box,  
12 Overall Rating, On-Target Performance is checked.

13 A. Yes.

14 Q. Do you see where I am?

15 A. Yes.

16 Q. Would that have been your rating for I guess  
17 it's the year-end assessment 2001?

18 A. Yes.

19 Q. And looking at page 10.

20 A. Yes.

21 Q. It has paragraph 5, "What are your two areas  
22 for improvement?"

23 Do you see where I am?

24 A. Yes.



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1 Q. That information that's contained in the box,  
2 is that something that you would have put down or  
3 something Becker would have put down?

4 A. As I recall, I'm not sure if it's as a result  
5 of what William Becker and I discussed.

6 Q. Whether he would have put that in or whether  
7 you would have?

8 A. I understand it falls under the category of  
9 competencies. I'm not sure at this time if it were  
10 solely he or I or jointly agreed upon.

11 Q. Looking at the information that's contained in  
12 paragraph 5 in that box where it says, "Product  
13 knowledge - acquire a more fluid understanding of  
14 basic Mellon investment principles," do you see where  
15 I am?

16 A. Yes.

17 Q. Did you and he have a conversation about that  
18 being an area for improvement for you?

19 A. As I recall, yes.

20 Q. Do you remember the substance of the  
21 conversation?

22 A. The exact substance? No.

23 Q. In general?

24 A. At this time I recall Bill and I talking how

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1 the position, my position had evolved from trust  
2 assistant to more involved investment officer support  
3 and what Mellon expected or set forth as procedures  
4 required of a portfolio administrator.

5 Q. Did he tell you what Mellon expected?

6 A. As I recall at this time regarding this  
7 review --

8 Q. Yes.

9 A. -- Bill was trying to impress upon me what  
10 Mellon and Brendan Gilmore as part of the Gilmore team  
11 expected of the team members.

12 Q. Did he give you any specific as to what was  
13 being expected?

14 A. To my recollection, it was more investment  
15 involvement of the assistants.

16 Q. And during the time that you worked as a  
17 portfolio administrator you were dealing with  
18 customers that had a certain, I guess a million up in  
19 terms of investment?

20 A. Yes.

21 Q. A million was the lowest that you dealt with?

22 A. At the time that we retained trust files of  
23 that basis.

24 Q. Do you remember when in time that was or that

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1 it started?

2 A. At this time I do not exactly recall.

3 Q. Now, when Becker was saying that more  
4 investment involvement was being required of the  
5 assistants, what does "investment involvement" mean?

6 A. To the best of my recollection, William Becker  
7 was trying to impress upon me the fact that Brendan  
8 Gilmore expected the assistants to take on investment  
9 duties that I recollect in a lot of instances were  
10 contradictory to the prescribed responsibilities of  
11 assistants.

12 Q. And I take it when you said Brendan Gilmore was  
13 asking the portfolio assistants to take on more  
14 investment duties that were contradictory to their  
15 prescribed duties, what were the prescribed duties?

16 A. Of the portfolio --

17 Q. Right, the portfolio assistants.

18 A. To complete reports. To the best of my  
19 recollection at this time, to complete reports, to  
20 prepare client reviews, to set up client meetings, to  
21 complete trades for the officers, the investment  
22 officers, and that's what I recall at this time.

23 Q. As being the prescribed duties?

24 A. At this time, yes.

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1 Q. When you said that Gilmore was asking, I think  
2 you said that Gilmore was asking portfolio  
3 administrators to handle or to have investment duties  
4 that were contradictory, were they in addition to what  
5 you just identified as the prescribed duties?

6 A. As I recall, yes.

7 Q. And you used "contradictory." What was  
8 contradictory in your mind in terms of what he was  
9 asking you to do and what you thought your prescribed  
10 duties were?

11 A. Specifically or non-specifically I believe the  
12 assistants were asked to do jobs or work that seemed  
13 to be worthy of vice president or trust officer or  
14 investment officer level of responsibility.

15 Q. So it's fair to say that in terms of what  
16 Gilmore was saying your duties were that you felt that  
17 as a portfolio administrator that the duties were  
18 better situated with VP's, the officer-level type?

19 A. In some instances, yes.

20 Q. Did you tell him at any point that you felt  
21 that what he was asking you to do was better suited  
22 for I guess a higher titled person?

23 THE WITNESS: Could you repeat that  
24 question?

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1 MS. WILSON: You're getting it down.

2 You're asking him.

3 (The reporter read back the last  
4 question.)

5 THE WITNESS: To the best of my  
6 recollection, there may have been instances when I  
7 imparted that feeling to Bill.

8 BY MS. WILSON:

9 Q. And what was his response?

10 A. As I recall, Bill was feeling pressures from  
11 above, meaning Brendan Gilmore and whatever subsequent  
12 management levels, to work harder and produce more  
13 profits.

14 Q. So when you brought it up to Bill would his  
15 response be, for example, "Linda, we all have more  
16 work to do and that's the way it is"? I was trying to  
17 understand what his response was when you brought it  
18 to him.

19 A. As I recall, his response was not that  
20 responsive to my point.

21 Q. Do you remember what he said?

22 A. Exactly?

23 Q. You know, it doesn't have to be exact but in  
24 the ballpark, as we can say.

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1 A. Ballpark is a broad term.

2 Bill would have -- as I recall, Bill said  
3 that I was expected to perform more. He may have said  
4 he was getting a workload, but this was occurring in  
5 his transition time from our team to becoming his own  
6 team leader.

7 Q. So those conversations as I understand it were  
8 taking place a little later than the 2001 time frame  
9 or 2002?

10 A. At this time I'm not sure exactly.

11 Q. With respect to your description of the  
12 expectations that there would be more investment  
13 involvement of the portfolio assistants, was that just  
14 an expectation that was placed on you or was it an  
15 expectation placed on all of the portfolio assistants?  
16 I say assistants. Administrators. I'm sorry.

17 A. I'm not sure at this time who it all covered  
18 besides myself.

19 Q. Do you know whether it covered Maria?

20 A. I'm not sure at this time.

21 Q. Now going back, Ms. Blozis, to your year-end  
22 assessment for 2001 on page 10 in that block under 5  
23 where it says, "Meeting deadlines more accurately and  
24 developing communication skills that allow me to meet

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1 those deadlines, i.e. alerting teammates when time-  
2 locking is necessary."

3 Do you see that?

4 A. I see it, yes.

5 Q. Did you and he have discussions about meeting  
6 deadlines more accurately?

7 A. As I recall, we may have.

8 Q. Did Mr. Becker say that you hadn't met  
9 deadlines in an accurate fashion?

10 A. I don't recall if those were the exact words.

11 Q. Well, was there an issue concerning deadlines  
12 that were raised at your sit down with him with  
13 respect to your evaluation?

14 A. I'm not sure at this time.

15 Q. What about "developing communication skills  
16 that allow me to meet those deadlines," do you know  
17 when it says "allow me" whether that's pertaining to  
18 you or to him?

19 A. This is my review. I would say yes.

20 Q. That it was you or him where it says, "allow  
21 me"?

22 A. Me? It would mean me, Linda Blozis.

23 Q. Oh, okay. Do you know what that meant,  
24 Ms. Blozis?

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1 A. At this time I would recollect that Bill was  
2 expecting me to have the initiative to say no to other  
3 team duties that would allow me to complete what he  
4 specifically or the investment officer would be asking  
5 me to do.

6 Q. When it says, "alerting teammates when  
7 time-locking is necessary," what does "time-locking"  
8 mean?

9 A. As I recall, time-locking under Mellon's policy  
10 was to virtually not answer phones, not talk to other  
11 teammates or employees and focus solely on the task at  
12 hand.

13 Q. Was that for a particular period of time? For  
14 example, 9:00 to 12:00 would be time lock for those  
15 purposes?

16 A. It varied.

17 Q. Would it vary in accordance with what your  
18 schedule was or was it a set time lock period?

19 A. You have asked two questions there.

20 Q. Well, when you say it varied, I'm just  
21 wondering whether the time-locking as you have  
22 described it would be specific as to you in terms of  
23 you know what you have to do for a particular day so  
24 you're going to time lock or whether there was



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1 something, say Delaware team-wide which said from  
2 such-and-such time there's time-locking?

3 A. It could vary from the task or the employee  
4 that had the particular task.

5 Q. Drawing your attention to the period I guess  
6 when you became a portfolio administrator around the  
7 1999 time frame and ending with the 2001 period, so  
8 that's the period of time that I'm interested in, had  
9 Mr. Becker ever stated that he was unhappy with your  
10 performance?

11 A. I don't recall exactly within that time frame.

12 Q. You don't recall whether it ever happened?

13 A. I remember Bill saying something to that  
14 effect.

15 Q. What do you remember him saying?

16 A. To the best of my memory that more work was  
17 expected of me.

18 Q. Did he say that he felt that you weren't  
19 working hard enough?

20 A. Not in those specific terms.

21 Q. Well, in general.

22 A. In general, Bill as I recall said that more  
23 work was expected of me, was expected of me.

24 Q. What about Brendan Gilmore during that same

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1 period of time, 1999 through the end of 2001, did he  
2 ever offer any criticism, to you any criticism of your  
3 work?

4 A. The -- yes.

5 Q. What did he say?

6 A. At a time close to the end of my employ --

7 Q. Just during let's keep it at that '99 through  
8 2001 time frame.

9 A. No, I don't recall at that time.

10 Q. And you were going on to say something at the  
11 end of your employ.

12 A. Yes.

13 Q. So I think you were going to answer something  
14 having to do with Gilmore offering criticism of your  
15 work at the end of your employ. Was I guessing right?

16 A. Yes.

17 Q. What was it?

18 A. Yes. But your question referred to the  
19 '99-2001 time frame and my answer to that was no.

20 Q. Right. And then you had gone on to talk about  
21 something at the end of your employment.

22 A. Yes.

23 Q. I take that to be what? Around 2003 time  
24 frame?

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1 A. Yes.

2 Q. And did Gilmore say anything about your  
3 performance around that time?

4 A. Yes.

5 Q. And what did he say?

6 A. I don't recall verbatim. It was the incident  
7 in March where we were behind closed doors and he  
8 loudly, rudely and unprofessionally criticized my  
9 work.

10 Q. If you would look at your complaint which is  
11 Blozis 1, paragraphs 25 and 26, page 6.

12 A. Yes.

13 Q. Is that the incident you're referring to?

14 A. Yes, it was.

15 Q. So there it says in late March 2003. You think  
16 that's when it was?

17 A. It says late April.

18 Q. I'm sorry. Late April.

19 A. Yes. To the best of my recollection, yes.

20 Q. Now, what did he say?

21 A. As stated in my complaint, specifically he  
22 referred to a client meeting booklet, not as I stated  
23 in the complaint.

24 Q. Now, do you remember the client meeting booklet

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1 that he was referring to?

2 A. I recall -- I don't recall the specific  
3 client's name, but I do know it was a booklet he was  
4 alluding to.

5 Q. Had there been -- I'm just looking at your  
6 paragraphs 25 and 26. Had there been an assignment  
7 for you to complete a client booklet, client meeting  
8 booklet?

9 A. Yes.

10 Q. And what is a client meeting booklet?

11 A. It was a presentation prepared for the clients  
12 that would periodically review the standing of their  
13 trust investments, the progress, essentially a  
14 portfolio review and what Mellon had done for them up  
15 until that time.

16 Q. And I recall your saying you don't recall the  
17 specific client involved when it says a client meeting  
18 booklet.

19 But had you completed the client meeting  
20 booklet?

21 A. I had completed all paperwork pertinent  
22 thereto.

23 Q. Was it one booklet that had to be completed?

24 A. It would have been a repetitive booklet that

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1 would have been handed out to a number of clients at  
2 the meeting. Some family members were more than one  
3 that would appear at a meeting.

4 Q. So you would put together sort of the template  
5 and then copies would be made of that template?

6 A. Not exactly.

7 Q. How would it go?

8 A. Figures and information would be compiled.  
9 Color charts would be produced and run. They would be  
10 collated and assembled.

11 Q. Was that your job to do the charts and the  
12 other information you described?

13 A. It would be my responsibility to put in the  
14 numbers pertinent to that particular client's  
15 portfolio.

16 Q. Would you be getting materials from others to  
17 put in the booklet?

18 A. "Others" meaning?

19 Q. Other, say, trust officers, other members of  
20 the team.

21 A. Occasionally, yes.

22 Q. Do you remember whether it was the case that  
23 you would be getting information from others for this  
24 particular client meeting booklet?

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1 A. At this time I'm not certain.

2 Q. So when you said that all papers pertinent to  
3 that client meeting booklet had been done --

4 A. All printed materials were completed by me.

5 Q. And was it collated or were they usually bound  
6 in some way?

7 A. They were collated.

8 Q. And were the booklets that you bound Velo bound  
9 or have some sort of binding to them?

10 A. Yes.

11 Q. Was that done as well?

12 A. In this instance?

13 Q. Yes.

14 A. To the best of my recollection, everything but  
15 the binding was done.

16 Q. Was Mr. Gilmore upset that the binding hadn't  
17 been done?

18 A. To the best of my memory, yes.

19 Q. Can you to the best of your recollection sort  
20 of walk me through that particular sequence of events?  
21 I gather Mr. Gilmore -- this happened in the Delaware  
22 office?

23 A. Yes.

24 Q. He was in the Delaware office and said, "Linda,

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1 can you come see me"? When I say walk me through, I  
2 mean from the beginning of the conversation to the  
3 end.

4 A. He came to the Delaware office on a date in  
5 April that I don't specifically remember at this time  
6 and discussed my work performance, specifically  
7 mentioning the client booklet. As I recall, I told  
8 him all pertinent information was assembled, numbers  
9 and proper information required in the particular  
10 client's case was prepared. It was not bound because  
11 it required an investment officer's review before  
12 simply binding the product, binding the booklet.

13 Q. And what did he say in response?

14 A. He said to bind it or else, as I recall.

15 Q. Had you been given any timetables for  
16 completion of the booklet?

17 A. I don't understand the question.

18 Q. Had someone said, by way of example, "Linda, we  
19 would like for you to have the booklets done by" X  
20 date?

21 A. In terms of preparation of the information in  
22 it, it was completed.

23 Q. But my question was: Had someone given you a  
24 timetable?

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1 A. I don't recall a specific date timetable at  
2 this time.

3 Q. For having it done?

4 A. I only recall that the client presentation  
5 booklet was to have been completed before I left for  
6 vacation.

7 Q. And looking at I'm sort of going down to 27 it  
8 says before leaving on vacation on May 2, '03.

9 A. Yes.

10 Q. Is that when you were going on vacation?

11 A. As I recall, yes, in that year, yes.

12 Q. So the client booklets were supposed to be  
13 completed before you left on vacation. That was your  
14 understanding?

15 A. Yes.

16 Q. Now, when you were speaking to Gilmore did he  
17 say that -- did he look at your product?

18 A. I don't recall that he did.

19 Q. Do you know if he had seen the papers that you  
20 say had been put together?

21 A. I don't recall that he had.

22 Q. But there's I guess a sense by him that the  
23 work hadn't been completed?

24 A. There was a sense by him that the work hadn't



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1    been completed? I'm recollecting that he meant  
2    because the binding hadn't been done that it was not  
3    completed.

4       Q.    In terms of the conversation, did he come to  
5    you and say, Linda, have you finished the blank, you  
6    know, the particular client booklet, whoever the  
7    client was, did he come and say have you finished it  
8    and you said well, I have this done and then he says  
9    what about the binding?

10           Do you know how it came up about the  
11   booklets in the first place?

12       A.    I don't recall exactly at this time.

13       Q.    All right. Now, during that conversation you  
14   went into his room, into his office?

15       A.    He called me into the office.

16       Q.    Did you sit at a carol, you know, a carol where  
17   you have your desk and some walls that may not go up  
18   to the top or did you have your own like an office  
19   with a door and everything?

20       A.    I didn't have an office.

21       Q.    Was it a carol, your office space?

22       A.    My office space was a carol.

23           (Discussion off the record.)

24

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1 BY MS. WILSON:

2 Q. So he called you into his office?

3 A. Brendan Gilmore called me into an office that  
4 he would use in Delaware.

5 Q. Door closed?

6 A. Yes.

7 Q. Now, you said that he you used words like,  
8 looking at your paragraph 25, strongly criticized her  
9 work in a threatening and demeaning manner?

10 A. Yes.

11 Q. What did you find threatening and demeaning?

12 A. His lack of professional mannerism, the tone of  
13 his voice, the fact that he said or used the words or  
14 else, his bullying tactics.

15 Q. What was the unprofessional manners?

16 A. His tone was loud enough to be heard by people  
17 outside the closed door.

18 Q. And how do you know that other people heard?

19 A. When I left the office very upset Maria Dunlop,  
20 for one, came to my cubicle and shook her head and  
21 said that was not, not in these specific terms, but  
22 something to the effect that that was just terrible.

23 Q. And did you discuss it with her when she came  
24 and said that was just terrible?

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1 A. As I recall, I was too upset to say anything to  
2 anybody.

3 Q. When you say his bullying tactics, what do you  
4 mean by that?

5 A. Brendan Gilmore had a personality that team  
6 members understood to be dictatorial, to be demanding,  
7 to be his way or no other way.

8 Q. Now, when you said that he had said with  
9 respect to the client meeting booklet to bind it or  
10 else, you used the term or else?

11 A. Yes.

12 Q. And did you have an understanding of what he  
13 meant by or else?

14 A. At that time I wasn't sure what he meant. I  
15 could only surmise what he would have meant.

16 Q. Did you ask him what or else meant?

17 A. At this time I'm not sure. I recall I think I  
18 did.

19 Q. I'm sorry?

20 A. I think I did say to him -- I'm not sure. But  
21 I think I did say to him "What do you mean by or  
22 else?"

23 Q. Did he respond?

24 A. I think he responded, to the best of my memory

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1 I think he responded.

2 Q. What did he say?

3 A. I'm not even sure of the exact words.

4 Q. You had also looking at paragraph 26 you said  
5 that he had used profanity?

6 A. Yes, he did.

7 Q. What was the profanity?

8 A. The exact profanity at this time I'm not sure,  
9 but it was either taking the Lord's name in vain by  
10 saying goddamn it and the word s-h-i-t.

11 Q. You think it was both?

12 A. As I recall, yes.

13 Q. Do you remember what he said?

14 A. As I recall, I was very upset. I do know he  
15 used a profanity. I was very shocked by that. He  
16 noticed my impression of that and I believe, as I  
17 recall, he may -- I'm not sure at the time, but he...

18 I think he saw the error of his ways in  
19 using a profanity in the presence of a lady and in an  
20 expected professional situation.

21 Q. Why do you say that you think he realized the  
22 error?

23 A. I don't recall specifically at this time, but  
24 there was an expression on his face that he knew I was

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1 stunned and shocked that a manager would talk to a  
2 woman in that manner.

3 Q. So, Ms. Blozis, you believe in that closed door  
4 meeting that you were referring to that Mr. Gilmore  
5 during the course of the discussion used the terms  
6 goddamn it and shit?

7 A. To the best of my recollection, yes.

8 Q. And I think you testified that you're not  
9 certain of the exact exchange?

10 A. Yes.

11 Q. Had you heard Mr. Gilmore use profanity before?

12 A. Regrettably, yes.

13 Q. The same terms?

14 A. Yes.

15 Q. And where had you heard him?

16 A. As I recall, it may have been behind the closed  
17 doors when Bill Becker was the investment officer and  
18 Brendan would be in with him, with Martha Fetzers when  
19 she was an investment officer and perhaps at team  
20 meetings, unfortunately.

21 Q. During the team meetings that he would be  
22 holding with the rest of his team?

23 A. Yes.

24 Q. He would say goddamn it or shit during the team

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1 meetings?

2 A. As I recall, occasionally, yes.

3 Q. Would he be using it as emphasis?

4 A. I can't say at this time. I don't recall.

5 Q. Now, you said that you had overheard him using  
6 the same terms with Becker and Fetters?

7 A. Martha Fetters.

8 Q. And Becker?

9 A. Yes.

10 Q. Now, during the periods that you overheard him  
11 using those terms with Becker and Fetters, did you  
12 ever go to anybody to complain?

13 A. I don't understand who you mean by "anybody."

14 Q. Well, HR, for example?

15 A. At this time I would say I recall not having a  
16 good rapport with HR.

17 Q. At what point did you feel that you didn't have  
18 a good rapport with HR?

19 A. Linda Squier and I and other Delaware team  
20 members wanted to discuss an incident years prior to  
21 this regarding the conduct of a sales officer. We  
22 understood it to be a confidential meeting. The HR  
23 director at that time brought in other officers that  
24 were above Linda Squier and I besides herself.

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1 Q. Who was the HR director that you're referring  
2 to?

3 A. Rosemary Thomas.

4 Q. And you said you had gone to her about a sales  
5 officer?

6 A. Yes.

7 Q. When did you go to her?

8 A. As I recall, it would have been in the mid to  
9 late nineties.

10 Q. And what was the issue with the sales officer?

11 A. I don't recall specifically at this time. To  
12 my recollection, he was telling clients, he was  
13 telling clients Mellon would deliver on different  
14 items that were really not Mellon policy.

15 Q. And --

16 A. Prospective clients.

17 Q. Who was the sales officer?

18 A. Anthony Jasienski.

19 Q. Was he working out of the Delaware facility?

20 A. Is he working?

21 Q. At the time.

22 A. At the time, yes.

23 Q. And you said that you and Linda -- I'm sorry --  
24 you and Ms. Squier had gone to Rosemary to complain

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1 about Anthony and you felt that it was in confidence  
2 and then I guess there were other people who were  
3 aware of it?

4 A. Yes.

5 Q. And you felt that she shouldn't have told  
6 anybody else about it?

7 A. Yes.

8 Q. The people who were aware, were they Anthony's  
9 I guess for lack of a better word bosses or  
10 supervisors?

11 A. One of them would have been, yes.

12 Q. And who was the other one?

13 A. To the best of my recollection, Brendan Gilmore  
14 was there, Brendan's supervisor Douglas Kloppenburg  
15 and the regional sales manager of Tony Jasienski at  
16 the time. I don't recall his name.

17 Q. And why did you feel that those individuals  
18 shouldn't have been made aware of it?

19 A. Ms. Squier and I approached HR in confidence.  
20 We were assured that it would be a confidential  
21 discussion between Rosemary Thomas, Linda Squier and  
22 myself and Rosemary Thomas showed up with the three  
23 officers, additional three officers.

24 Q. Did you then tell your sort of story to the



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1 three officers?

2 A. Yes.

3 Q. And do you know whether anything happened to  
4 Anthony?

5 A. As a result of this?

6 Q. Yes.

7 A. I'm not sure at this time.

8 Q. Did you feel that the three officers should  
9 have known if Anthony was offering prospective  
10 customers things that Mellon didn't sell?

11 A. Yes. Eventually.

12 Q. When you say, "Eventually," what do you mean?

13 A. I feel that a confidential meeting of women  
14 complaining against a male officer or bringing to  
15 light his inappropriate sales conduct should have been  
16 held confidential and then handled in a proper manner  
17 with his superiors.

18 Q. And how is it that you felt that it was handled  
19 improperly?

20 A. That Ms. Squier and I were led to believe that  
21 it would be a confidential discussion with  
22 Ms. Rosemary Thomas to give her the details and that  
23 we were virtually blind-sided with the three officers  
24 walking into that, coming along with her.

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1 Q. Did you not want your identity known, so to  
2 speak?

3 A. At this time I wouldn't say that was the case.

4 Q. You didn't mind them knowing that you were the  
5 ones that were bringing it up?

6 A. At that time, no, I don't believe, I don't  
7 recall that I was.

8 Q. I guess what I am trying to understand is what  
9 your concern was. I guess you and Ms. Squier felt it  
10 was just going to be the three of you meeting to  
11 discuss this and then you have three officers, plus  
12 Rosemary coming in. You had no preknowledge that  
13 there was going to be more than the three of you?

14 A. Initially that's correct.

15 Q. And that's what you didn't like?

16 A. I didn't think that was how we were led to  
17 believe we would be able to tell our side of the  
18 incident.

19 MS. WILSON: Off the record.

20 (Discussion off the record.)

21 BY MS. WILSON:

22 Q. Ms. Blozis, you testified that Mr. Gilmore had  
23 used certain words that you considered to be profane  
24 during that meeting in your presence.

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1 Have you ever used those words before?

2 A. I don't understand.

3 Q. Well, have you ever used the word shit before  
4 or goddamn it?

5 A. To my recollection, not in an office  
6 environment or professional environment.

7 Q. Outside of the office, outside of a  
8 professional environment?

9 A. To my recollection, I may have outside of the  
10 office.

11 MS. WILSON: We can take a 30-minute  
12 break.

13 MR. LaROSA: Sure.

14 (Recessed for lunch at 1:15 p.m.)

15 - - - - -

16 AFTERNOON SESSION

17 1:50 p.m.

18 BY MS. WILSON:

19 Q. Ms. Blozis, with respect to the client meeting  
20 booklet that we were discussing before the break in  
21 which you and Gilmore were having the discussion, did  
22 you get that booklet bound before you left on your  
23 vacation?

24 A. No, I did not.

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1 Q. Why was that?

2 A. As I told Brendan Gilmore, it needed to be  
3 looked over by the investment officer at the time, the  
4 presenting officer, which I recollect was Greg Landis,  
5 and he was not going to be available until after I  
6 left.

7 Q. So Greg Landis was to look over the booklet  
8 before it was bound?

9 A. Yes.

10 Q. And did you tell Mr. Gilmore this?

11 A. Yes. I recollect that I did state that.

12 Q. In that meeting that you characterized in your  
13 complaint, that April meeting?

14 A. Yes.

15 Q. Did Mr. Gilmore say that he wanted it bound  
16 regardless of whether Landis looked it over?

17 A. To the best of my recollection, yes.

18 Q. Did you have any discussions with Landis in  
19 which you said, and not verbatim, but that Gilmore  
20 wanted you to, wanted the books bound and he had to  
21 look it over so that you could get it done?

22 A. As I recall, I believe I spoke on the phone to  
23 Greg, who may have been out of town, and said or  
24 informed him that the booklet numbers-wise,

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1 information-wise was prepared and collated; it was  
2 left for him to just review and that Maria Dunlop  
3 volunteered to do the binding process when that was  
4 done, which took all of five to seven minutes,  
5 depending on the number of booklets.

6 Q. Did you speak to Mr. Gilmore to let him know  
7 where you were with respect to the project after the  
8 conversation you had in April?

9 A. I recall in that April incident that I tried to  
10 impress upon Brendan that it was only a matter of  
11 binding it, that it would mean destroying pages that  
12 would otherwise be acceptable in the presentation if  
13 not left for Landis's review and that Maria Dunlop  
14 could bind it.

15 Q. And did Gilmore say that was acceptable to him?

16 A. I don't remember him admitting that it would  
17 have been acceptable.

18 Q. Before you left on vacation did you have any  
19 discussions with Gilmore about the booklet?

20 A. I don't understand in what terms you mean.

21 Q. At all. For example, did you say it's not been  
22 bound, I'm waiting, you know, Landis has to look at  
23 it, Maria says she can do it, you know, did you give  
24 him an update before you left?

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1 A. I don't recall that I did. I recall that that  
2 impression was given to him or I strongly attempted to  
3 give it to him at the April meeting.

4 Q. Did he ever tell you that he thought that you  
5 were being insubordinate to him with respect to that  
6 booklet issue?

7 A. Not that I recall.

8 Q. Do you know if he had any conversations with  
9 anybody about the booklet incident?

10 A. Did he or did I?

11 Q. Did he?

12 A. I don't know that he did.

13 Q. You had testified before the break, Ms. Blozis,  
14 that sometimes during the team meetings that Gilmore  
15 was leading that he would use profanity?

16 A. Yes, I did.

17 Q. Was that at the Delaware location?

18 A. As I recall, it may have been more frequently  
19 the meetings of his team were done by either  
20 teleconference or we were called into Philadelphia.

21 Q. And during those incidents or during those  
22 times would there be males on the phone as well?

23 A. Oh, yes.

24 Q. It would generally be is it fair to say members

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1 of whoever the Delaware team consisted of?

2 A. All members of the Delaware team.

3 Q. During that meeting, the conversation that you  
4 were having with Gilmore in late April of 2003 that's  
5 referenced in your complaint, did you say something to  
6 Gilmore along the lines of it's a good thing that you  
7 have that in writing so that you have a paper trail as  
8 it related to the booklet?

9 A. Did I say something to Brendan?

10 Q. Yes.

11 A. I don't quite understand your question.

12 Q. Did he show you any documents that set forth  
13 the time frame for the completion of the booklet?

14 A. Not that I recall, no.

15 Q. Did you ever say to him it's a good thing that  
16 you have something in writing to evidence so that you  
17 have a paper trial of what you asked me to do?

18 A. I don't recall that.

19 Q. Now, after that particular meeting -- do you  
20 recall how long it lasted?

21 A. To the best of my memory, fifteen or twenty  
22 minutes.

23 Q. Was that all that was being discussed, the  
24 booklet?

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1 A. I recall, I recall that he also took the time  
2 at that time to criticize the rest of my performance  
3 and work.

4 Q. And what did he say?

5 A. I don't remember specifically. I just recall  
6 that I was stunned by his criticism of work that  
7 seemed to formerly be very acceptable and gratefully  
8 appreciated when I maintained the Delaware office on  
9 my own as a support member of the team.

10 Q. Did he give you specifics in terms of the work  
11 that he was referring to?

12 A. At this time I don't recall if there were  
13 specifics given.

14 Q. Were there any specifics as to the criticisms?

15 A. I recall that he used the examples of other  
16 younger portfolio administrators in Philadelphia  
17 saying that they were responsible for much more than I  
18 was accomplishing. I had no way of knowing that to be  
19 the truth because I didn't work alongside of them day  
20 to day.

21 Q. So you didn't know either way whether he was  
22 correct when he said that?

23 A. That's correct, I didn't know either way.

24 Q. Did he, Ms. Blozis, when you said that he was



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1 using examples of the younger portfolio administrators  
2 in Philadelphia during his conversation with you, did  
3 he say, again not specifically, but did he say, Linda,  
4 the younger portfolio administrators in Philadelphia  
5 are doing this, why aren't you or did he just say  
6 generally portfolio administrators in Philadelphia?

7 A. At this time I would say generally, but it's a  
8 fact that they were younger.

9 Q. Right. I understand.

10 A. They were younger than I. And he alluded to,  
11 he alluded to the fact that the other portfolio  
12 administrators according to him at that time were  
13 doing more and were capable of doing more.

14 Q. Okay. My question wasn't -- I understand that  
15 the portfolio administrators in the Philadelphia  
16 office, this is around the April 2003 time frame, what  
17 you're saying is that they were younger than you were  
18 at the time in age?

19 A. Yes.

20 That's your question?

21 Q. Yes. Right?

22 A. Yes.

23 Q. But in terms of what Gilmore said, did he refer  
24 to youth or age or anything like that in making the

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1 comparison?

2 A. Not specifically.

3 Q. He just said the portfolio administrators in  
4 Philadelphia can do it, or words to that effect, why  
5 can't you?

6 A. Yes.

7 Q. Now, did you have a response to him?

8 A. I recollect my response was that, A, I was  
9 doing the best that I could; B, that the portfolio  
10 administrators in Philadelphia were not responsible in  
11 addition to the regular duties that I was in caring  
12 for the office at Two Greenville Crossing.

13 Q. And what do you mean by "caring for the  
14 office"?

15 A. I took care of incoming-outgoing mail. I took  
16 care of all phone calls. I took care of machinery  
17 upkeep, meaning the computers, the copiers, the  
18 printers, the supplies for that. I took care of  
19 notifying building maintenance when things might not  
20 work, to mention a few.

21 Q. That was around the April 2003 time frame that  
22 you had these responsibilities?

23 A. To the best of my recollection, from the time  
24 that Kathleen Agne was let go until -- yes, that time.

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1 Q. So starting when Kathleen left to the time that  
2 you yourself left, you had these additional  
3 responsibilities that you just described?

4 A. More correctly, it was the responsibility of  
5 the portfolio administrator to take care of those  
6 tasks all the time.

7 Q. I see. All right. So when Kathleen was there  
8 would it be fair to say that you and she sort of  
9 divided up the work?

10 A. Yes.

11 Q. And then after she left, you were left as the  
12 only portfolio administrator there until Maria got  
13 there?

14 A. Yes.

15 Q. So when Maria got there, did you and she divide  
16 up the work of what you just described, caring for the  
17 office?

18 A. When Maria was hired, it was incumbent upon me  
19 to teach her, to teach her the job more or less.

20 Q. In terms of caring for the office?

21 A. Primarily her workload and her work  
22 responsibilities because there was no formal training  
23 offered by Mellon. It was more or less on the job.

24 Q. So you were training Maria with respect to the

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1 care of the various portfolios?

2 A. Yes.

3 Q. The care and maintenance of those, whatever  
4 that entailed?

5 A. The trust accounts, yes.

6 Q. As well as what you had described as caring for  
7 the office?

8 A. Yes.

9 Q. Which I took to mean different duties than the  
10 trust work that you were doing?

11 A. Yes.

12 Q. And did she at some point or did you at some  
13 point sort of divide up the caring for the office  
14 aspect and Maria took on some pieces of it?

15 A. It wasn't my call to divide that up. At some  
16 point in time I recollect that Maria was up to speed  
17 per se and she was designated Greg Landis's specific  
18 assistant and I was to give support to Bruce  
19 Holmquist, who was an investment officer in the  
20 Washington area but part of the Delaware team, as well  
21 as any other team responsibilities backing up Maria,  
22 doing the investment work that Greg Landis was  
23 responsible for.

24 Q. When was that?

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1 A. Are you asking for a date?

2 Q. Yes.

3 A. I would recall, as I recollect it was up until  
4 the time of Maria's, after Maria's wedding in  
5 September I believe of 2002.

6 Q. And when I had asked you whether at some point  
7 Maria started I guess caring for the office or doing  
8 some duties that you had described as caring for the  
9 office, did she ever?

10 A. At some time I would have to say Maria to her  
11 understanding of the work responsibilities was a team  
12 player but because of her lack of time in the company  
13 would defer to me on various questions, whether they  
14 be referring to the trust accounts, the portfolios  
15 themselves or the maintenance and upkeep of the  
16 office.

17 Q. So if there was an issue, she would come to you  
18 on how to take care of it?

19 A. Yes.

20 Q. She couldn't sort of run the caring for the  
21 office piece of it on her own?

22 A. If I were called away or had a day off, it  
23 would be left to her to try to complete that.

24 Q. Otherwise, if you were there, she would come to

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1 you and say Linda, who do I call for this?

2 A. Frequently.

3 Q. You had said that it wasn't, you had said it  
4 wasn't your I think it was -- and you didn't put it  
5 like this, but I had asked did there come a point when  
6 Maria took over, you divided up the responsibilities.  
7 I was just limiting it to caring for the office and  
8 you said that wasn't something that you could do  
9 because it left me to believe that there was somebody  
10 else who would say Maria, your job is to divide up the  
11 work with Linda as opposed to you saying Maria, I'll  
12 do X, you do Y and that's how we will run it.

13 A. I have to say Maria and I worked as a team to  
14 the best of her ability and knowledge as she  
15 progressed in the job.

16 Q. Now, in your complaint you say, and I'm looking  
17 at paragraphs 27 and 28, you say that before you left  
18 on vacation that you went to see Rosemary Thomas in HR  
19 to complain about Gilmore.

20 A. I contacted Rosemary Thomas. Her office was  
21 situated in Philadelphia and I contacted her from  
22 Delaware.

23 MS. WILSON: Mark this, please.

24 (Blozis Deposition Exhibit No. 4 was

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1 marked for identification.)

2 BY MS. WILSON:

3 Q. Ms. Blozis, if you will look at what's been  
4 marked as Blozis 4 and let me know when you have had a  
5 chance to, when you're finished.

6 A. (Reviewing document) I'm finished.

7 Q. Now, looking at Blozis 4, do you recognize what  
8 that is?

9 A. Yes.

10 Q. And what is it?

11 A. It looks -- it's a copy of an e-mail from me to  
12 Rosemary Thomas.

13 Q. And the subject is Discussion with Brendan  
14 Gilmore?

15 A. Yes.

16 Q. Is that in connection with the meeting that we  
17 have been talking about that you had with Brendan  
18 concerning the booklets and performance?

19 A. Yes.

20 Q. And on the sent line it's April 30th of '03.  
21 Do you think that was the date that you had the  
22 conversation with Brendan?

23 A. I would recollect on or about that date, yes.

24 Q. And then underneath there's some handwriting?

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1 A. Yes.

2 Q. Is that your handwriting?

3 A. Yes, it is.

4 Q. And what is the handwriting?

5 A. It's an indication that I spoke to Rosemary on  
6 May 1st of 2003 and lodged my complaint against BMG,  
7 are Brendan Gilmore's initials, regarding his  
8 disruptive demeanor to me in that meeting.

9 Q. I guess after sending Blozis 4, the e-mail  
10 itself, you printed it out and made a notation of when  
11 you spoke with Rosemary?

12 A. Yes.

13 Q. Now, when you were speaking with Rosemary, did  
14 you take any notes of the conversation?

15 A. I don't recall that I did.

16 Q. You don't recall either way?

17 A. I don't recall that I took notes of the  
18 meeting, the teleconference to be exact.

19 Q. It wasn't face to face?

20 A. She didn't come to Delaware.

21 Q. So you and she spoke over the phone?

22 A. Yes.

23 Q. Do you know whether anyone else was in the room  
24 with her at the time?



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1 A. I have no way of knowing that.

2 Q. And where did you call her from?

3 A. I stepped into an empty private office and  
4 called her.

5 Q. And were you the only one in the office?

6 A. Yes.

7 Q. And so in terms of whether she was taking  
8 notes, you don't know that?

9 A. I have no way of knowing that.

10 Q. And what did you talk to Rosemary about?

11 A. I reiterated to the best of my recollection  
12 because of how upset I was what transpired between  
13 Brendan Gilmore and I prior to me leaving for vacation  
14 about the meeting. I explained to her the situation,  
15 that the booklet, as I had previously done in many,  
16 many other client meetings, was taken to its logical  
17 conclusion; that I didn't feel it was unreasonable to  
18 leave what was prepared and completed until Greg  
19 Landis could review it for Maria Bannister to bind it  
20 so it wouldn't waste her time or company expense or  
21 money to reproduce pages that would be destroyed upon  
22 disbinding the booklet and that I was very upset at  
23 his tone and his cursing at me and his general  
24 unprofessional mannerism in that meeting, to the best

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1 of my recollection, and that I wanted to, I  
2 specifically did state that I wanted to lodge a  
3 complaint against him.

4 Q. Now, going back to the meeting which we believe  
5 with was on or about April 30th that you had with  
6 Brendan, did you feel that he was leveling the  
7 profanity at you or whether it was because of the  
8 situation?

9 A. I felt it was leveled at me.

10 Q. And why did you feel that way?

11 A. As I recall, he pointedly was criticizing me at  
12 that meeting.

13 Q. When you spoke to Rosemary -- and I'm looking  
14 at your paragraph 28 of your complaint.

15 A. Yes.

16 Q. Do you see on 28 where you say that you  
17 believe, and I'm just paraphrasing, that you believe  
18 that Gilmore's words and conduct toward you were, in  
19 quotes, founded in age, end quote?

20 A. Yes.

21 Q. Do you see that?

22 A. Yes.

23 Q. Did you use those words with Rosemary?

24 A. As I recall, yes.

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1 Q. Did you tell her why you felt that they were  
2 founded in age?

3 A. I recollect that I suspected Brendan was  
4 systematically trying to intimidate me because I was  
5 the last remaining original and the oldest team member  
6 on the Delaware team.

7 Q. Did you tell Rosemary that?

8 A. Not maybe in those specific words, but I do  
9 recall saying that Brendan Gilmore used the term in  
10 referencing the original team that I was the survivor.

11 Q. When did he use the term that you were the  
12 survivor?

13 A. In the course of that discussion on that date.

14 Q. Had he used that term to describe you before  
15 that date? I guess the date being on or about April  
16 30th of '03.

17 A. Not that I recall.

18 Q. So when he said that you were the survivor or  
19 termed you as the survivor, you took that as an  
20 age-related comment?

21 A. Yes.

22 Q. Why?

23 A. As I recall, I was reflecting on how I believed  
24 and it was known throughout the team that Mr. Bell was

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1 forced to resign and Mr. Bell at that time was of an  
2 age 60 or better, that Martha Feters, a woman, was  
3 forced to resign. She was over the age of 40. That  
4 Linda Squier, a woman, was forced to resign. At the  
5 time she was over the age, I believe over the age of  
6 40. That Kathy Agne was fired, Kathleen Agne was  
7 fired and she was a woman over the age of 40, as I  
8 recall their ages, and that I was the remaining  
9 original Delaware team member, meaning those people  
10 sitused in Delaware.

11 Q. So when he called you a survivor you took it as  
12 a negative instead of a positive?

13 A. Yes.

14 Q. Based on what you just said in terms of  
15 everybody else was gone over the age of 40, some of  
16 them female, so you felt that he was alluding to your  
17 age when he said survivor?

18 A. Yes.

19 Q. Did you ask him what he meant by survivor?

20 A. No.

21 Q. You mentioned that Kathleen Agne was fired and  
22 she was over the age of 40?

23 A. Yes.

24 Q. Who fired her?

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1 A. To the best of my recollection, I believe it  
2 was Bill Becker on the bequest of Brendan Gilmore, the  
3 team leader.

4 Q. What are you basing that on?

5 A. My recollection is that Kathleen was called  
6 into Bill's office on a specific date in March, that  
7 she was there for a while. I don't recall if it was  
8 ten or fifteen minutes. That she exited the office,  
9 went to her desk that was on the other side of my  
10 cubicle, unbeknownst to me was packing up her things  
11 and exited the building and Bill Becker came out and  
12 told me that Kathleen was let go.

13 Q. Did he tell you why Kathleen was let go?

14 A. I don't specifically recall at that time  
15 because I was so very upset and shocked by it.

16 Q. By Kathleen being let go?

17 A. Yes.

18 Q. Do you know if Kathleen was having any  
19 performance problems?

20 A. I recollect that I surmised there must have  
21 been.

22 Q. How did you surmise that?

23 A. During the last months of her employment I  
24 could see that she was being overburdened with work

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1 and I would frequently ask her can I help you out in a  
2 team spirit and she would not defer to my offer. And  
3 I did not understand until after I was released that  
4 she was instructed not to share that work as I was not  
5 instructed to share my work with Maria Dunlop.

6 Q. How do you know that she was instructed not to  
7 share her work?

8 A. After my release we may have had lunch and  
9 talked about the situation.

10 Q. In terms of a performance evaluation did you  
11 ever conduct one of Kathleen?

12 A. That wasn't the protocol at Mellon for  
13 subordinates to review each other.

14 Q. She was your coworker?

15 A. Yes.

16 Q. So as a coworker you would not have reviewed  
17 her work?

18 A. Absolutely not.

19 Q. It would have been Becker and/or Gilmore?

20 A. Yes.

21 Q. And do you know how they assessed her work?

22 A. That was not shared with me. That was not the  
23 protocol to share each subordinate's reviews.

24 Q. Did Kathleen say that she felt she was let go

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1 because of her age?

2 A. Specifically she did not say the word -- no,  
3 I'm not going to say that.

4 Specifically, she alluded to the fact of  
5 her years in and her age and the fact that she was a  
6 woman.

7 Q. That's what she was telling you after she had  
8 gone when you were meeting with her?

9 A. Not in so many words but she alluded to that  
10 fact, yes.

11 Q. And that was after she was already gone?

12 A. Yes.

13 Q. Now, getting back to your conversation with  
14 Rosemary Thomas, did you go into detail with her that  
15 you felt that Gilmore's conduct and words were founded  
16 in age because four other individuals over 40 had been  
17 let go and you felt it was systematic? Did you get  
18 into that kind of detail?

19 A. I can't recall at this time specifically, but I  
20 recollect that I told Rosemary that I found it very  
21 odd that Mr. Bell was let go, that Linda Squier and  
22 Martha Fetters were forced out, that Kathleen was  
23 dismissed, that I went from being the saving grace of  
24 the team, the work force in Delaware, the support work

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1 force in Delaware to all of a sudden being on a hit  
2 list, but I didn't use the word hit list. In this  
3 context I'm saying that.

4 Q. And what did Rosemary say?

5 A. As I recall, she listened to me. I think she  
6 answered in a political fashion, that Mellon's  
7 striving to be better, that everybody needed to work  
8 harder.

9 Q. When you say, "a political fashion," what do  
10 you mean by that?

11 A. I don't feel that Rosemary Thomas was  
12 exceptionally sympathetic to the specific complaint I  
13 was making.

14 Q. Why did you feel that way, that she wasn't  
15 being sympathetic?

16 A. She didn't cite specific Mellon procedures that  
17 would be taken as far as do I sign a formal complaint?  
18 Does she sit down with a superior and Brendan and  
19 discuss the specific charge that I was making?

20 Q. She didn't tell you what was going to happen as  
21 a result of your conversation?

22 A. Not specifically what would transpire after it,  
23 no, I don't recollect, no.

24 Q. Did she mention anything that would happen that

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1 would transpire?

2 A. To the best of my memory, I think she said she  
3 was going to speak to Brendan about it.

4 Q. Do you know if she spoke to Brendan?

5 A. I have no way of knowing that for sure.

6 Q. In terms of your answer, is it that Rosemary  
7 never -- did Rosemary come back to you and say I've  
8 spoken to Brendan and this is what has occurred or  
9 what he says?

10 A. To my recollection, it would have to be that  
11 when I returned from vacation I would have to assume  
12 she spoke to Brendan because then I was handed a final  
13 warning or given a final warning.

14 Q. And that's why you feel that she had spoken to  
15 Brendan?

16 A. At this time I would have to say that's  
17 probably why.

18 Q. And is it I guess the timing, is that what  
19 you're basing it on, that you got the final warning  
20 after you had complained about Brendan?

21 A. Yes.

22 Q. Do you know if there had been any discussions  
23 about placing you on a final written warning prior to  
24 your conversations with Rosemary about Brendan?

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1 A. Please repeat that.

2 Q. Sure.

3 MS. WILSON: Can you repeat that?

4 (The reporter read back the pending  
5 question.)

6 THE WITNESS: I don't recall at this time.

7 BY MS. WILSON:

8 Q. When Brendan called you a survivor you took it  
9 to mean a reference to you being the only one I  
10 believe you had characterized it as left from the  
11 team, the beginning team.

12 Was that in fact the case, that of all of  
13 the initial team members that you were the only one  
14 left?

15 A. Yes.

16 Q. Besides Brendan?

17 A. Before we went completely into a team concept  
18 of people in Delaware working under people in  
19 Philadelphia and people in Washington working under  
20 people in Philadelphia, the original Delaware team  
21 consisted of Robert Bell, Linda Squier, Kathleen Agne  
22 and myself. Of those four, I was the only one  
23 remaining.

24 Q. You and Brendan were the only ones remaining of

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1 that team?

2 A. Under his team. Under his team.

3 Q. Right.

4 A. Yes.

5 Q. Before the break, Ms. Blozis, we were talking  
6 about Brendan Gilmore and one of the things that you  
7 had said that you felt was indicative of age  
8 discrimination was that he wanted to eliminate older  
9 workers on his team and replace them with younger  
10 people.

11 Do you remember that testimony?

12 A. Yes.

13 Q. Now, I believe we have gone through the older  
14 workers that you were referring to and that would be  
15 Kathleen Agne?

16 A. Yes.

17 Q. Robert Bell?

18 A. Yes.

19 Q. Martha Feters?

20 A. Yes.

21 Q. And Linda Squier?

22 A. Yes.

23 Q. And there's also another one. I'm looking on  
24 pages 9 and 10 of your complaint, paragraph it's

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1 starting with paragraph 53. It's 53a through e.

2 A. Yes.

3 Q. If you look at e, Frances Smith.

4 A. Yes.

5 Q. Now, where was she with respect to the team --

6 A. She was not a member of the Gilmore team.

7 Q. Was she on another team?

8 A. She was on the Philadelphia team.

9 Q. Do you know, did each team have a name like  
10 whoever the leader was, the Gilmore team? Was there  
11 another team that she was on?

12 A. Yes.

13 Q. What was the name of her team?

14 A. I don't recall at the end of her career with  
15 Mellon. At one time it was the Jane Lefend team, but  
16 I don't believe that was the team, that Jane was the  
17 team leader on Mrs. Smith's team when she was  
18 released.

19 Q. And it says that she was forced to resign in  
20 approximately September of 2003?

21 A. Yes.

22 Q. You don't remember whose team she was on at the  
23 time?

24 A. At this time -- excuse me. Yes. I believe

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1 Bill Becker had taken over that team. That was the  
2 team that he had taken over at the time, William  
3 Becker.

4 Q. And how did you know Frances Smith?

5 A. We had the occasion to work in conjunction with  
6 mutual clients. Over the course of my employment at  
7 Mellon, various files were shifted from team to team  
8 when the management decided the size of the clients'  
9 portfolio would be moved from different teams. They  
10 were restructuring the file management. And  
11 frequently I would talk to Fran if she needed to be  
12 brought up to speed about a particular client that  
13 might have been managed on the Delaware team or the  
14 Gilmore team that was then taken over by her team.

15 Q. Do you know what her title was in September of  
16 '03?

17 A. To the best of my recollection, Fran had at one  
18 time been promoted to a trust officer, but I recollect  
19 that she was demoted to a comparable portfolio  
20 administrator.

21 Q. And do you know why she was demoted?

22 A. Specifically I do not.

23 Q. Do you know who demoted her?

24 A. I do not know.

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1 Q. You say she was forced to resign. Why do you  
2 say that?

3 A. In discussions with Fran it became apparent  
4 that she was going through the same thing that I was  
5 as far as job overload, criticism of her work  
6 performance and I think ultimately received the or  
7 else prerogative and Fran chose to resign her post,  
8 her position.

9 Q. Did she tell you who it was that she was having  
10 these issues with?

11 A. I recollect at this time that it was William  
12 Becker.

13 Q. And did she tell you that she was being forced  
14 to resign?

15 A. She didn't, to my memory she did not say it  
16 specifically in those terms, she was being forced.

17 She intimated that she did not understand  
18 exactly why the criticism of her had arisen and why it  
19 seemed after years of dedicated hard work it wasn't  
20 satisfactory anymore, any longer.

21 Q. So by her rendition of events you assumed it  
22 was Bill Becker who was not happy with her work?

23 A. I can't say specifically it was Bill Becker or  
24 management's or Mellon's ploy at this time.

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1 Q. Or Mellon's?

2 A. Mellon's ploy.

3 Q. Ploy, p-l-o-y?

4 A. P-l-o-y to eliminate employees over the age,  
5 over the age of 40.

6 Q. When you say, "Mellon's ploy," what do you mean  
7 by that?

8 A. If Mellon was adopting a policy to drive out,  
9 force out, fire employees of a certain age or time in  
10 and, in turn, hiring younger, unskilled, inexperienced  
11 people to replace them.

12 Q. Do you ever see any written documentation that  
13 Mellon had instituted such a thing?

14 A. No.

15 Q. Did anybody from Mellon ever tell you that  
16 that's what was going on?

17 A. Who do you mean "from Mellon"?

18 Q. Other than the people, Martha and Frances or  
19 Linda or Bell.

20 A. I don't think that would have been a policy to  
21 show if there were, in fact, a document to show that  
22 to portfolio administrators.

23 Q. Well, do you know if anything like that  
24 existed?

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1 A. I have no knowledge of that.

2 Q. Did Frances Smith ever tell you that she was  
3 forced to resign because of her age?

4 A. Not in those specific terms.

5 Q. It would have been along the lines of I have  
6 been here for X number of years, I've done a good job,  
7 I don't understand why now things aren't going well  
8 for me or something along those lines?

9 A. Yes.

10 Q. Did you ever have any conversations with Bill  
11 Becker about Frances Smith?

12 A. No.

13 Q. And I take it you never performed any  
14 performance evaluations of Frances Smith?

15 A. As I stated before, it was not a policy of  
16 Mellon for trust portfolio assistants to offer reviews  
17 on subordinates or certainly not people who were at  
18 levels above my position.

19 Q. Do you know whether any of the younger members  
20 of the Gilmore team got any negative evaluations?

21 A. I have no way of knowing that. I don't believe  
22 they have.

23 Q. What is your belief based on?

24 A. My belief is based on the fact that Brendan

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1 Gilmore in that meeting tried to impress upon me that  
2 the younger team members were working harder than I  
3 was and was doing more, taking on more  
4 responsibilities than I was.

5 Q. But in terms of seeing any of their performance  
6 evaluations or anything like that, you have never seen  
7 them, correct?

8 A. I'm sorry? I didn't hear you.

9 Q. You have never seen any of the younger Gilmore  
10 team members' performance evaluations, have you?

11 A. No.

12 Q. Just to be clear, during the conversation that  
13 you were having with Gilmore around the April 30th  
14 time frame he didn't mention the term younger?

15 A. I don't recall he used the term younger.

16 Q. Now, thinking beyond that meeting during the  
17 time that you were employed at Mellon -- and I  
18 understand that you have given me some examples of  
19 this, but my question is for you to tell me everything  
20 that Gilmore has said or done that you took to be  
21 indicative of age discrimination. You don't have to  
22 mention the elimination of the older workers issue,  
23 the survivor, the profanity.

24 Anything other than what you have already

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1 testified to?

2 A. I recall a couple of instances with Maria  
3 Bannister, who I considered a team player but because  
4 she was new and younger when Brendan Gilmore was in  
5 the Delaware office he would frequently praise her  
6 work and her performance and bypass me altogether  
7 when, in essence, I helped train her and brought her  
8 up to speed if she was accomplishing that work.

9 Q. Is Maria the same woman as Dunlop?

10 A. I beg your pardon. Maria was employed, she was  
11 hired as Maria Bannister and got married and became  
12 Maria Dunlop.

13 Q. All right. So you felt that Gilmore's praise  
14 of Maria's work was not warranted?

15 A. I didn't say it was not warranted. I said I  
16 believed it was founded on the fact that she was  
17 younger and I was ignored.

18 Q. Well, I guess in general Gilmore would say  
19 Maria is doing a great job at whatever or words to  
20 that effect?

21 A. In general, yes.

22 Q. So when he would give her praise for the work  
23 that she did, did you feel that Maria didn't deserve  
24 that praise.

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1 A. I said she was a team player. I didn't say she  
2 didn't deserve it. I said that she would be given  
3 praise and I as a team player if she and I were  
4 working together, I would be excluded from that.

5 Q. Are you saying that -- I guess what -- I think  
6 I understand what you're saying in terms of the  
7 praise.

8 When I asked you whether you felt she was  
9 undeserving of the praise, is your answer to that yes  
10 or no?

11 A. She was not undeserving of that praise.

12 Q. You felt that you were deserving of some equal  
13 praise?

14 A. Yes.

15 Q. Did you ever say Brendan, I'm working on this  
16 too; I would like to hear some kudos for my work?

17 A. Brendan Gilmore wasn't the type of team leader  
18 that you could make a comment like that to and feel  
19 comfortable within the realm of your position.

20 Q. So Gilmore didn't like to be questioned or  
21 approached on topics such as I would like to be  
22 included in the praise?

23 A. Exactly.

24 Q. You were giving me instances of times where you

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1 thought Gilmore's conduct or words were indicative of  
2 age discrimination.

3 A. You're referring to instances of --

4 Q. Where you felt that Gilmore either had by way  
5 of statement, by way of conduct in some way evidenced  
6 age discrimination. And the last example you gave me  
7 was concerns about Maria Dunlop and I didn't want to  
8 cut you off. I wanted to hear everything that you had  
9 to say about that having to do with Gilmore.

10 A. I don't quite understand what you're inquiring  
11 about.

12 Q. Well, are there any more instances where you  
13 felt that Gilmore either by statement or by conduct in  
14 some way was evidencing age discrimination? We talked  
15 about giving praise to Maria, none to you, the  
16 survivor comment, the cursing, the letting go of the  
17 older workers, the hiring of the younger workers.

18 I'm looking for more examples of that that  
19 you have.

20 A. I recall there were instances when in team  
21 meetings or prior to or after meetings he would be  
22 more jovial with younger people than he would with the  
23 older members of the team, "older" meaning age and/or  
24 time in.

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1 Q. When you say, "time in," you mean years of  
2 service with the company?

3 A. Yes.

4 Q. Why do you feel that's indicative of age  
5 discrimination?

6 A. We were all on the same team.

7 Q. So by "more jovial," you mean joking around?

8 A. Friendlier, more outgoing.

9 Q. You felt that with the older workers he didn't  
10 have that same level of being friendly and outgoing?

11 A. No, I did not think that he had that same  
12 level.

13 Q. Was he like nasty to the older workers in the  
14 meeting?

15 A. I wouldn't use the term "nasty."

16 Q. But wouldn't you say that he wasn't as jovial  
17 or outgoing? I'm just trying to get a sense of how he  
18 was appearing with the younger workers as opposed to  
19 the older ones.

20 A. If he was friendly and jovial with the younger  
21 ones, it seemed apparent that he was aloof and distant  
22 and borderline rude to the older workers.

23 Q. And when you say, "borderline rude," what would  
24 he do?

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1 A. Just if they asked questions he would be abrupt  
2 in his answers or not have time for them then.

3 Q. You felt with the younger workers he would  
4 answer their questions and have time to discuss  
5 whatever they were bringing up?

6 A. Yes.

7 Q. Did you ever approach him on this?

8 A. No.

9 Q. Did you ever speak with Rosemary or anybody  
10 from HR about how you felt the meetings were going?

11 A. Not that I recall at this time.

12 Q. Would it be at all of the meetings that you  
13 felt that way or some of them?

14 A. For the most part it would be at the  
15 predominance of the meetings. Not all of the team  
16 members were always included. It would depend on what  
17 the particular situation required, whether it be  
18 officers or officers and assistants.

19 Q. Would you be included on all of the meetings?

20 A. I was an assistant.

21 Q. So there would be meetings that you would not  
22 be included on?

23 A. There were at times, yes.

24 Q. In terms of when the meetings were and who

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1 would be included on the meetings, would there be an  
2 e-mail coming out from Brendan saying we're going to  
3 have a meeting on X date and A, B and C should be  
4 there at the meeting?

5 A. As I recollect, there could have been over the  
6 time frame that he was the team leader, yes.

7 Q. So you would get some advanced word of a  
8 meeting date and who was to attend the meeting?

9 A. For the most part, yes, there would be advanced  
10 notice.

11 Q. Then I think you testified that some meetings  
12 were done on the phone?

13 A. Yes.

14 Q. And some in person?

15 A. Yes.

16 Q. Any other examples of instances where you  
17 thought Gilmore was being discriminatory on the basis  
18 of age?

19 A. At this time I don't recall any.

20 Q. You also --

21 A. That's my phone.

22 MR. LaROSA: Let's go off the record for a  
23 second.

24 (Discussion off the record.)

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1 BY MS. WILSON:

2 Q. Now, with respect to your complaint you also  
3 have a gender discrimination allegation. And focusing  
4 in on Gilmore --

5 A. Excuse me. I'm going to shut my phone off.

6 Q. Oh, sure.

7 A. I'm sorry. Would you repeat the question?

8 Q. Sure. Ready?

9 A. Yes.

10 Q. Going back to Gilmore.

11 A. Yes.

12 Q. And focusing now on your gender discrimination  
13 claim.

14 A. Yes.

15 Q. Can you provide me with instances where you  
16 feel that Gilmore either by word or conduct was  
17 discriminating against you on the basis of gender?

18 A. To the best of my recollection, when I might be  
19 in the Philadelphia offices and working alongside a  
20 teammate for whatever purpose on an account I noticed  
21 that Dan Merlino would not seem to be as busy as we  
22 women might have been.

23 Q. And Dan Merlino was a portfolio administrator?

24 A. To the best of my recollection, that's how he

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1 started on the team.

2 Q. When you say that Dan wasn't as busy as the  
3 women, what women?

4 A. It would have been while she was still under  
5 the employ Kathleen Agne, Marion whose name I don't  
6 recall.

7 Q. I think I might have her name.

8 Is it Marion --

9 A. Marano.

10 Q. -- Marano?

11 A. It just came to me. Marano, Marion Marano.

12 Q. M-a-r-a-n-o.

13 A. Even Brendan's personal assistant, Cindy  
14 Chambliss.

15 Q. Was Cindy a portfolio administrator?

16 A. I don't know what her correct title was at this  
17 time since she was Brendan's personal assistant.

18 Q. And Marion, she was a portfolio administrator?

19 A. Yes, as I recall.

20 Q. So when you say that you visited the  
21 Philadelphia office and Dan didn't seem to be as busy  
22 as the rest of the women, why did you take that to be  
23 gender related?

24 A. Because I recollect there were instances in

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1 which Marion and Cindy would intimate to me that we  
2 have these tasks to complete and Dan did not have  
3 comparable tasks. He was not giving comparable tasks  
4 in a comparable work position.

5 Q. And who would be the person in charge of giving  
6 Dan tasks?

7 A. It would be Brendan Gilmore.

8 Q. And did you ever do sort of your own  
9 investigation as to what task Dan was being given?

10 A. I don't understand your question.

11 Q. Did you know what task that Dan was being given  
12 to do?

13 A. There were specific job duties listed that the  
14 portfolio administrators were responsible for and  
15 sometimes we might have to work in conjunction with  
16 one another or ask questions. It seems sometimes when  
17 I would call Dan he wouldn't have the answers. He  
18 would defer me to Marion or Cindy or one of the women.

19 Q. And you took from there, from his deferment to  
20 the females that he didn't have the same work, the  
21 comparable work that you had to do?

22 A. I took from there that he should have that  
23 answer as part of his job and he didn't have it.

24 Q. So in terms of whether he had comparable work

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1 to do, do you know that?

2 A. As I recollect, if he was given the title of  
3 portfolio administrator he would be given similar  
4 duties as we women would be given.

5 Q. And you took that something was amiss when you  
6 would call and ask for information and he wouldn't  
7 know the answer?

8 A. Yes.

9 Q. Did that lead you to believe that either -- I  
10 mean, what I took from your answer is you would ask  
11 him a question, he didn't know the answer and you  
12 thought he should have known the answer?

13 A. On some occasions, yes. On other times if I  
14 asked could you check on something for me, he would  
15 defer to I'll have Marion call you back or I'll have  
16 Cindy call you back.

17 Q. And did you think there was something wrong  
18 with him --

19 A. I thought that --

20 Q. -- doing that?

21 A. Yeah. I thought that he was very capable of  
22 getting the answers or being able to work as a team  
23 player and not defer to the women.

24 Q. So it sounds like you were thinking that he

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1 wasn't pulling his weight?

2 A. Yes.

3 Q. And instead of saying I'll have so-and-so get  
4 you the answer that he should have gotten the answer  
5 himself and given it to you?

6 A. Yes.

7 Q. Did you ever have any conversations with  
8 Brendan Gilmore or Becker that Dan wasn't pulling his  
9 weight?

10 A. You asked about the two of them.

11 Q. Well, with either one of them did you ever have  
12 any conversations that Dan wasn't pulling his weight?

13 A. I don't recall specifically at this time, no.

14 Q. Do you know whether Kathleen or Marion or Cindy  
15 ever complained to Brendan or, and I'll use his last  
16 name, Becker, Bill Becker that Dan wasn't pulling his  
17 weight?

18 A. I have no way of knowing that at this time.

19 Q. Do you know whether Brendan or Bill had any  
20 knowledge that Dan wasn't pulling his weight?

21 A. Do I have any knowledge? I don't know for sure  
22 that they would at this time.

23 Q. Are there other examples of gender  
24 discrimination in connection with Gilmore?

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1 A. None that I can recall at this time.

2 Q. If you would look at your complaint, paragraphs  
3 56a through d.

4 A. Yes.

5 Q. Just look at that because my question is  
6 earlier when we were talking about Brendan Gilmore you  
7 had stated that he wanted to eliminate older workers  
8 off the team and replace them with younger people.  
9 That's probably not a direct quote, but that was the  
10 gist of the testimony.

11 Are these the younger people that you were  
12 referring, to 56a through d?

13 A. Yes.

14 Q. Now, with respect to looking at 56a, we have  
15 got Investment Officer Bill Becker. Is it your  
16 testimony that Bill replaced an older worker?

17 A. Bill Becker was ultimately put in place as the  
18 senior trust officer in Delaware. At the time of my  
19 first employment, that position was held by Mr. Robert  
20 Bell.

21 Q. So is it your testimony that Bill replaced  
22 Robert?

23 A. Considering the succession, Martha Feters had  
24 served as senior officer of Delaware in the interim

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1 between Mr. Bell and Bill Becker.

2 Q. So Bill replaced Martha?

3 A. Yes.

4 Q. Do you know whether there were any jobs, do you  
5 know whether there were any advertisements for the  
6 senior trust officer position?

7 A. At this time I don't recall if there were  
8 advertisements.

9 Q. Do you know whether there were any individuals  
10 who applied for the senior trust officer position?

11 A. To the best of my recollection -- when are you  
12 referring to? What time frame? I'm sorry.

13 Q. I was just following up on your testimony that  
14 Bill replaced Martha Fetters as the senior trust  
15 officer.

16 So my question was whether you knew  
17 whether there were people who applied for the position  
18 of senior trust officer around the period that Martha  
19 Fetters left.

20 A. To the best of my recollection, I believe Bill  
21 said he was in competition with two other people, but  
22 I don't recall who they were.

23 Q. Looking at b, Dan Merlino, is that the same  
24 person we have been talking about, Masucci?

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1 A. No. Ray Masucci was an officer. Dan Merlino  
2 was the portfolio administrator that I've been  
3 referring to.

4 Q. And he was in the Philadelphia office?

5 A. Yes.

6 Q. And did he replace an older worker?

7 A. Yes, I believe he did. And I can't remember  
8 her name at this time.

9 Q. In your complaint you have him as an investment  
10 assistant?

11 A. Yes.

12 Q. Is that the same thing as portfolio  
13 administrator?

14 A. To the best of my understanding, it's  
15 synonymous with portfolio.

16 Q. Do you know whether other individuals applied  
17 for the portfolio administrator/investment assistant  
18 position that Dan got?

19 A. I have no way of knowing at this time.

20 Q. You have Assistant Maria Dunlop. That's the  
21 Maria that we have been talking about in the Delaware  
22 office?

23 A. Yes.

24 Q. And she came in as the portfolio administrator,

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1 correct?

2 A. Yes.

3 Q. And did she replace anybody?

4 A. I don't know if it's correct to say she  
5 replaced, but Kathleen Agne was fired. There was the  
6 time lapse between March and then Maria was hired in  
7 July.

8 Q. Do you know whether others applied for the  
9 position that Maria ultimately got?

10 A. To my recollection, I think others did. There  
11 were other interviews conducted.

12 Q. Do you know who was being interviewed?

13 A. The names, I was not told who they were.

14 Q. Who was doing the interviewing for Maria's  
15 position?

16 A. Initially it would have been Greg Landis and  
17 then I'm under the understanding that Brendan Gilmore  
18 made the ultimate decision.

19 Q. And do you know whether any advertisements were  
20 placed for the position?

21 A. I'm not sure at this time.

22 Q. The next one, Investment Officer Kristy Hunt.

23 A. Yes.

24 Q. Was she in the Philadelphia office?

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1 A. Yes.

2 Q. Did she replace an older worker?

3 A. I don't recall at this time.

4 Q. Was she in the Gilmore team?

5 A. Yes.

6 Q. Do you know whether there were other applicants  
7 for the investment officer position that Kristy got?

8 A. I have no way of knowing for sure at this time.

9 Q. Looking at your complaint, Ms. Blozis, at  
10 paragraph 22 it talks about a period of March '02 to  
11 July 7 of '02.

12 Is that the period of time that Kathleen  
13 had been let go and before Maria came on board?

14 A. Yes.

15 Q. And then the last part, the last sentence of  
16 that 22, "Younger and male employees were not treated  
17 similarly"?

18 A. Yes.

19 Q. Who are you referring to there?

20 A. I'm referring to all other team members on the  
21 Brendan Gilmore team.

22 Q. During that period March '02 to July 7 '02?

23 A. Yes.

24 Q. So it would be fair to say you're referring to

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1 all male employees on Brendan's team during that  
2 period?

3 A. Yes.

4 Q. And all employees under 40 on Brendan's team  
5 during that period?

6 A. Yes.

7 Q. And when you say that they were not treated  
8 similarly to you, is it your allegation that they  
9 weren't put in charge of the responsibilities that you  
10 identified in paragraph 22?

11 A. Yes.

12 Q. Is it your contention that they should have  
13 been or the work should have been divided up?

14 A. I just know that they weren't because the  
15 Delaware office was a subsidiary office and those  
16 responsibilities were on my shoulders because I was  
17 the only one there.

18 Q. So at that time you were the only portfolio  
19 administrator in the Delaware office?

20 A. Yes.

21 Q. But there were portfolio administrators on his  
22 team in Philadelphia?

23 A. Yes.

24 Q. So is it your argument that those portfolio

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